

RESOLUTIONS

SENATE JOINT RESOLUTIONS

JOHN TARLETON AGRICULTURAL COLLEGE

S. J. R. No. 5

Proposing an amendment to the Constitution of the State of Texas authorizing the Legislature to appropriate Seventy-five Thousand (\$75,000.00) Dollars, or so much thereof as may be necessary, to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization of the Governor of Texas on August 31, 1937.

Be it resolved by the Legislature of the State of Texas:

Section 1. That the Constitution of the State of Texas be amended by adding a new section, as follows:

"The Legislature is authorized to appropriate so much money as may be necessary, not to exceed Seventy-five Thousand (\$75,000.00) Dollars, to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization by the Governor of Texas on August 31, 1937."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at the next general election to be held on the first Tuesday after the first Monday in November, A. D., 1946, at which all ballots shall have printed thereon:

"FOR THE CONSTITUTIONAL AMENDMENT AUTHORIZING THE LEGISLATURE TO PAY FOR BUILDING CONSTRUCTED FOR JOHN TARLETON AGRICULTURAL COLLEGE"; and

"AGAINST THE CONSTITUTIONAL AMENDMENT AUTHORIZING THE LEGISLATURE TO PAY FOR BUILDING CONSTRUCTED FOR JOHN TARLETON AGRICULTURAL COLLEGE."

Each voter shall mark out one of said clauses on the ballot, leaving the one expressing his vote on the proposed amendment.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this state.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury of the state, not otherwise appropriated, to pay the expenses of such publication and election.

Passed the Senate, February 26, 1945: Yeas 27, Nays 0; passed the House, May 30, 1945: Yeas 121, Nays 1.

Filed without the Governor's signature June 2, 1945.

To be voted at election to be held in Nov. 1946.

CONSTITUTIONAL AMENDMENT—ARTICLE 6, § 2A

S. J. R. No. 7

Proposing an amendment to Article VI of the Constitution of Texas providing that any person in the armed forces of the United States, or the Armed Force Reserve of the United States, or of any branch or component part thereof, or the United States Maritime Service, or the United States Merchant Marine, or who has been a member of same within eighteen months prior to the holding of any election in this state authorized by law, and is otherwise a qualified voter, shall not be required to pay, or to hold a receipt for the payment of, a poll tax in order to vote at any such election, if same is held while the United States is at war or within a

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certain stated time thereafter; providing that members of the regular Army, Navy, or Marine Corps of the United States shall not be permitted to vote; providing that other members of the armed forces shall be entitled to vote under certain conditions; providing the form of the ballot for voting on said proposed amendment; fixing the time for holding an election; directing the Governor to issue the necessary proclamations; and making an appropriation.

Be it enacted by the Legislature of the State of Texas:

Section 1. There shall be submitted to the qualified voters of the State of Texas the matter of amending Article VI of the Constitution of Texas, by adding thereto a new section which will modify the present restrictions concerning voting. This new section shall be inserted between Section 2 and Section 3 of said Article VI, and shall be known as Section 2a, and shall read as follows:

"Section 2a. Nothing in this Constitution shall be construed to require any person, who at the time of the holding of an election hereinafter referred to is, or who, within eighteen months immediately prior to the time of holding any such election was, a member of the armed forces of the United States or of the Armed Force Reserve of the United States, or of any branch or component part of such armed forces or Armed Force Reserve, or the United States Maritime Service or the United States Merchant Marine, and who is otherwise a qualified voter under the laws and Constitution of this state, to pay a poll tax or to hold a receipt for any poll tax assessed against him, as a condition precedent to his right to vote in any election held under the authority of the laws of this state, during the time the United States is engaged in fighting a war, or within one year after the close of the calendar year in which said war is terminated.

"Provided, however, that the foregoing provisions of this section do not confer the right to vote upon any person who is a member of the regular establishment of the United States Army, Navy, or Marine Corps; and provided further, that all persons in the armed forces of the United States, or the component branches thereof, not members of the regular establishment of the United States Army, Navy, or Marine Corps, are hereby declared not to be disqualified from voting by reason of any provision of sub-section "Fifth" of Section 1, of this Article."

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this state on August 25, 1945, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the following:

"FOR the amendment to Article VI of the Constitution of Texas, providing that any person in the armed forces of the United States, or the Armed Force Reserve of the United States, or of any branch or component part thereof, or of the United States Maritime Service, or the United States Merchant Marine, or who has been a member of same within eighteen months prior to the holding of any election in this state authorized by law, and is otherwise a qualified voter, shall not be required to pay, or to hold a receipt for the payment of, a poll tax in order to vote at any such election, if same is held while the United States is at war or within a certain stated time thereafter."

Those opposed to such amendment shall have written or printed on their ballots the following:

"AGAINST the amendment to Article VI of the Constitution of Texas, providing that any person in the armed forces of the United States, or the Armed Force Reserve of the United States, or of any branch or component part thereof, or of the United States Maritime Service, or the United States Merchant Marine, or who has been a member of same with-

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in eighteen months prior to the holding of any election in this state authorized by law, and is otherwise a qualified voter, shall not be required to pay, or to hold a receipt for the payment of, a poll tax in order to vote at any such election, if same is held while the United States is at war or within a certain stated time thereafter."

Sec. 3. The Governor shall issue the necessary proclamations relating to the publication of the foregoing Resolution, in the various counties of the state, and shall cause the same to be published as required by the statutes and the Constitution in connection with the submission of proposed amendments to the Constitution, to the people for their action at a statewide election. If it shall appear from the returns of the election at which the foregoing amendment to the Constitution is voted upon that a majority of the qualified voters have voted for said amendment, same shall then become a part of the Constitution of Texas.

Sec. 4. There is hereby appropriated out of the General Fund of the State of Texas, not otherwise appropriated, the sum of Fifteen Thousand Dollars (\$15,000.00), or so much thereof as may be necessary, to pay the expenses of advertising said Resolution in each county in the state and for such other purposes as may be necessary, or required by law, or by the Constitution.

Passed the Senate, March 27, 1945: Yeas 28, Nays 0; April 17, 1945, Senate refused to concur in House amendments and requested appointment of a Conference Committee; April 17, 1945, House granted request; April 30, 1945, Senate adopted Conference Committee Report: Yeas 28, Nays 0; passed the House, April 12, 1945, with amendments: Yeas 131, Nays 0; April 17, 1945, House granted request of Senate for appointment of Conference Committee; April 26, 1945, House adopted Conference Committee Report: Yeas 120, Nays 2.

Filed without the Governor's signature, May 2, 1945.

Adopted at election held Aug. 25, 1945.

CONSTITUTIONAL AMENDMENT—ARTICLE 5, § 2

S. J. R. No. 8

Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members; prescribing their qualifications; and providing for their election, tenure of office and compensation.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 2 of Article 5 of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Article 5

"Sec. 2. The Supreme Court shall consist of a Chief Justice and eight Associate Justices, any five of whom shall constitute a quorum, and the concurrence of five shall be necessary to a decision of a case; provided, that when the business of the court may require, the court may sit in sections as designated by the court to hear argument of causes and to consider applications for writs of error or other preliminary matters. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be, at the time of his election, a citizen of the United States and of this state, and unless he shall have attained the age of thirty-five years, and shall have been a practicing lawyer, or a lawyer and judge of a court of record together at least ten years. Said Justices shall be elected (three of them each two years) by